

**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

|                |   |                        |
|----------------|---|------------------------|
| LISA A. TATE,  | ) |                        |
|                | ) |                        |
| Claimant,      | ) | <b>IC 01-021042</b>    |
|                | ) |                        |
| v.             | ) |                        |
|                | ) | <b>ORDER</b>           |
| CITY OF BOISE, | ) |                        |
|                | ) | Filed October 26, 2004 |
| Self-Insured   | ) |                        |
| Employer,      | ) |                        |
|                | ) |                        |
| Defendant.     | ) |                        |
| _____          | ) |                        |

Pursuant to Idaho Code § 72-717, Referee Michael E. Powers submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusion of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusion of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant has complied with the requirements of Idaho Code § 72-448 and her claim for benefits for her bilateral medial epicondylitis is not barred.
2. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this \_\_26<sup>th</sup>\_\_ day of \_\_October\_\_, 2004.

INDUSTRIAL COMMISSION

\_\_\_\_\_/s/\_\_\_\_\_  
R.D. Maynard, Chairman

\_\_\_\_\_/s/\_\_\_\_\_  
Thomas E. Limbaugh, Commissioner

\_\_\_\_\_/s/\_\_\_\_\_  
James F. Kile, Commissioner

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Assistant Commission Secretary

### **CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_26<sup>th</sup>\_\_ day of \_\_October\_\_, 2004, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

HUGH MOSSMAN  
611 W HAYS ST  
BOISE ID 83702

ALAN R GARDNER  
PO BOX 2528  
BOISE ID 83701-2528

\_\_\_\_\_/s/\_\_\_\_\_

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